

# SUMMARY MINUTES OF THE SAINT PAUL CITY COUNCIL Wednesday, February 14, 2007 - 3:30 p.m.

# CITY COUNCIL CHAMBERS, 3RD FLOOR City Hall and Court House 15 West Kellogg Boulevard

Note: All City Council meetings are on the City of Saint Paul's website. Meetings can be viewed in their entirety or a specific item can be viewed. Visit our website at <a href="https://www.ci.stpaul.mn.us/council">www.ci.stpaul.mn.us/council</a> and click on Watch the Live Webcast.

The meeting was called to order by Council President Lantry at 3:35 p.m.

Present – 7 – Benanav, Bostrom, Harris, Helgen, Lantry, Montgomery, Thune Absent – 0

### **CONSENT AGENDA (Items 1 – 30)**

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED BY A COUNCILMEMBER, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

Councilmember Harris requested Item #11 be removed for discussion. Councilmember Thune moved approval of the consent agenda as amended. Adopted as amended Yeas - 7 Nays - 0

## COMMUNICATIONS AND ADMINISTRATIVE ORDERS

- 1. Claims of Tammy Bakeberg, Karen Eckstrom, Daniel O'Neill, and Nancia Santine. Referred to Risk Management
- Summons and Complaint in the matter of Wells Fargo Bank, N.A., vs. the City of Saint Paul. (657 Dale Street North)
   Referred to the City Attorney's Office
- Statement of Claim and Summons in the matter of Donald Correll vs. seized \$2,372.07 cash.
   Referred to the City Attorney's Office

4. Statement of Claim and Summons in the matter of Heather Saurer vs. one seized 1998 Ford Contour.

Referred to the City Attorney's Office

- 5. Letter from the Department of Planning and Economic Development announcing a public hearing before the City Council on February 21, 2007 to consider the application of JAS Apartments Inc. for a Subdivision (Combined Plat) for St. Paul Union Depot, 214 4th Street East, block bounded by Sibley St., Kellogg Blvd., Wacouta St. and 4<sup>th</sup> St., in order to create 25 parcels (lots). (Zoning File 06-284-250)
- 6. Letter from the Office of License, Inspections and Environmental Protection announcing a public hearing before the City Council on February 21, 2007 to consider the appeal of Steppingstone Theatre to a decision of the Heritage Preservation Commission requiring four main facade stained glass windows be retained instead of replaced with clear glass windows at 873 Portland Avenue (Hill Historic District). (File No. 07-071)
- 7. Administrative Order:

D002625 Authorizing the Police Department to purchase food, not to exceed \$2,499.00, for Tactical Communication training courses from January 1 through February 28, 2007.

D002626 Approving spending authority within Engineering Fund 205 for partial acquisition funding of the Post Office site.

On file in the City Clerk's Office

#### FOR ACTION

8. Approval of minutes of February 7, 2007 Closed Door Session.

Adopted Yeas - 7 Nays - 0

9 Resolution – 07-80 – Approving a Memorandum of Agreement between the City and SPSO. (Laid over from February 7 for adoption)

Adopted Yeas - 7 Nays - 0

10. Resolution – 07-126 – Changing the rate of pay for the classification titled Chief of Police from Grade 037 to Grade 039 of Employee Group 17, Non-Represented Managers.

Adopted Yeas - 7 Nays - 0

11. Resolution – 07-127 – Accepting Proposal on sale of \$3,900,000 General Obligation Temporary Bonds, Series 2007B and providing for their issuance. (Discussed after the consent agenda)

12. Resolution – 07-128 – Referring to the Charter Commission, for its recommendation, an ordinance amending Chapters 3, 4 and 9 of the Charter of the City of Saint Paul in order to place the City Clerk under the authority of the City Council.

Adopted Yeas - 7 Nays - 0

13. Resolution – 07-129 – Authorizing the Division of Parks and Recreation to accept donations from individuals and organizations in support of the 2007 Parks Spring Cleanup event, and to use a portion of the proceeds to purchase food and refreshments for staff and volunteers participating in the event.

Adopted Yeas - 7 Nays - 0

14. Resolution – 07-130 – Authorizing the Department of Fire and Safety Services to donate a 1999 E450 ambulance and Stryker Easy Pro 6090 stretcher, which are no longer used, to the City of Manzanillo's Volunteer Fire Brigade (Saint Paul Sister City).

Adopted Yeas - 7 Nays - 0

15. Resolution – 07-131 – Authorizing the Police Department to enter into a 2006 Homeland Security Grant Program agreement with the State of Minnesota.

Adopted Yeas - 7 Nays - 0

16. Resolution – 07-132 – Authorizing the Police Department to enter into an agreement with the United States Department of Justice in order to participate in the Organized Crime Drug Task Force.

Adopted Yeas - 7 Nays - 0

17. Resolution – 07-133 – Recommending that the Board of Ramsey County Commissioners not approve the repurchase application for the parcel located between 824 and 832 Cook Avenue East.

 $Adopted \qquad Yeas-7 \qquad Nays-0$ 

18. Resolution – 07-134 – Approving the decision of the Legislative Hearing Officer on an appeal of a Correction Notice at 1487 Summit Avenue.

Adopted Yeas - 7 Nays - 0

19. Resolution – 07-135 – Approving the decisions of the Legislative Hearing Officer on appeals of a Correction Notice at 824 Fremont Avenue and a Deficiency List at 2065 Randolph Avenue.

Adopted Yeas - 7 Nays - 0

20. Resolution – 07-136 – Approving the license application, per the Legislative Hearing Officer, for Pool and Billiard Hall and Restaurant (A) 0-12 seats for Thu Trinh, owner, d/b/a Khai Hoan, 2422 University Avenue West.

Adopted Yeas - 7 Nays - 0

21. Resolution – 07-137 – Approving adverse action against the Malt On Sale (Strong), Wine On Sale, and Restaurant B (More than 12 Seats) license application submitted by Macalus, Jr., LLC, d/b/a Fatheadz, 735 Snelling Avenue North.

Adopted Yeas - 7 Nays - 0

22. Resolution – 07-138 – Waiving the 45-day community notification requirements and issuing licenses, with conditions, to Ziegler Enterprises Inc., d/b/a The Glockenspiel, for On Sale Liquor (over 100 seats) and On Sale Liquor Sunday.

Adopted Yeas - 7 Nays - 0

23. Resolution – 07-139 – Approving adverse action against the Taxicab Driver's license application submitted by Habtom Teklay for the City of Saint Paul.

Adopted Yeas - 7 Nays - 0

24. Resolution – 07-140 – Approving adverse action against the Taxicab Vehicle license held by Daniel Salvador Chiqui Jara, d/b/a A New Star Taxi, for the City of Saint Paul. Adopted Yeas – 7 Nays – 0

25. Resolution – 07-141 – Accepting a Metropolitan Livable Communities Grant from the Metropolitan Council for construction of Fillmore Avenue from Wabasha Street easterly to the Union Pacific railroad crossing.

 $Adopted \qquad Yeas-7 \qquad Nays-0$ 

26. Resolution – 07-142 – Amending the spending and financing plans of the 2005 Baker/Bellows RSVP project by transferring Street Improvement Bonds from the 2006 Residential Street Vitality Program.

 $Adopted \qquad Yeas-7 \qquad Nays-0$ 

27. Resolution – 07-143 – Amending the spending and financing plans of the Victoria, Minnehaha, Selby projects by transferring MSA financing from the Phalen Boulevard and MSA Contingency projects.

Adopted Yeas - 7 Nays - 0

28. Resolution – 07-144 – Approving a two-year extension of an agreement to lease 31 parking spaces in the Second Street Garage to Ramsey County.

Adopted Yeas - 7 Nays - 0

- 29. Preliminary Order 07-145 In the matter of acquiring property rights for right-of-way needed to construct a left turn lane signalization project along Maryland Avenue at the intersection of Rice Street, and setting date of public hearing for March 7, 2007.

  Adopted Yeas 7 Nays 0
- 30. Resolution Approving Assessment 07-146 In the matter of the assessment of benefits, cost and expenses for boarding up vacant buildings in November, 2006 (J0613B); demolition of vacant buildings in January, 2007 (J0701C); summary abatement (property cleanup) from December 28, 2006 to January 12, 2007 (J0701A); providing weekly garbage hauling services from December 28, 2006 to January 10, 2007 (J0701G); and towing abandoned vehicles from private properties in November, 2006 (J0608V); and setting date of public hearing for March 21, 2007)

  Adopted Yeas 7 Nays 0

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11. Resolution – 07-127 – Accepting Proposal on sale of \$3,900,000 General Obligation Temporary Bonds, Series 2007B and providing for their issuance.

Todd Hurley, City Treasurer, presented a substitute resolution reflecting changes.

Councilmember Harris moved approval of the substitute resolution.

Substitute adopted Yeas - 7 Nays - 0

#### FOR DISCUSSION

31. Resolution – 07-103 – Authorizing the diversion of City parkland, located southerly of 501 Shepard Road (Xcel Energy High Bridge Plant), in accordance with City Charter requirements. (Laid over from February 7) (To be laid over to February 21 for a public hearing) (GS 3036431)

It was noted this item requires a public hearing. Councilmember Helgen moved to lay over to February 21 for a public hearing.

Laid over to February 21 for public hearing Yeas - 7 Nays - 0

32. Resolution – 07-106 – Establishing the Year 2007 Residential Street Vitality Program assessment rates. (Laid over from February 7)

Council President Lantry stated a substitute resolution was prepared which reduces the RSVP assessment rates. Lantry moved to introduce the substitute resolution.

Yeas – 7 Nays - 0

Bruce Beese, Director, Department of Public Works, explained further changes to the assessments, noting the rates decreased significantly.

Council President thanked Bruce Beese and Margaret Egan for their work on this project.

Councilmember Helgen moved approval of the substitute resolution.

Substitute adopted Yeas - 7 Nays - 0

#### **ORDINANCES**

NOTE: AN ORDINANCE IS A CITY LAW ENACTED BY THE CITY COUNCIL. IT IS READ AT FOUR SEPARATE COUNCIL MEETINGS AND BECOMES EFFECTIVE AFTER PASSAGE BY THE COUNCIL AND 30 DAYS AFTER PUBLICATION IN THE SAINT PAUL LEGAL LEDGER.

33. Final Adoption – 07-38 – An ordinance amending Chapter 166.10 of the Saint Paul Legislative Code by extending the residential street permit parking district in the Irvine Park neighborhood to include residents on the south side of Exchange Street.

Councilmember Thune moved approval.

Adopted Yeas - 7 Nays - 0

34. Final Adoption – 07-39 – An ordinance amending Chapter 64 of the Saint Paul Legislative Code pertaining to signs, amending existing language and adding new language pertaining to temporary signs, skyway banners and light pole banners; amending Saint Paul Legislative Code Section 140.07 pertaining to skyway advertising and exterior signs, adding new language regulating exterior skyway banners; and amending Saint Paul Legislative Code Section 286.03 pertaining to posting of masts and poles, regulating banners on light poles. (Amended February 7)

Councilmember Thune moved to introduce a substitute ordinance and explained the changes. Yeas -7 Nays -0 Substitute laid over to February 21 for final adoption

35. Second Reading – 07-115 - An ordinance deleting Chapter 420 of the Saint Paul Legislative Code, "Scrap and Metal Processors," as that license has been replaced by Recycling Collection Center/Recycling Processing Center language.

Laid over to February 21 for public hearing

36. Second Reading – 07-116 – An ordinance amending Chapter 225 of the Saint Paul Legislative Code by adding new sections defining and regulating Non-Lethal Firearms and deleting other sections therein.

Councilmember Helgen moved to introduced a substitute ordinance and explained the changes. Yeas -7 Nays -0 Substitute laid over to February 21 for public hearing

37. First Reading – 07-147 – An ordinance amending Chapter 13 of the Saint Paul Administrative Code to reflect the creation of the new Department of Safety and Inspections.

At the request of Council President Lantry, this item was laid over to March 14. Laid over to March 14 for second reading

38. First Reading – 07-148 – An ordinance amending the Saint Paul Administrative Code to reflect the creation of the Department of Safety and Inspections and clarify duties no longer performed by the City.

At the request of Council President Lantry, this item was laid over to March 14. Laid over to March 14 for second reading

39. First Reading – 07-149 – An ordinance amending the Saint Paul Legislative Code to reflect the creation of the new Department of Safety and Inspections.

At the request of Council President Lantry, this item was laid over to March 14. Laid over to March 14 for second reading

# Suspension Item

Councilmember Benanav moved suspension of the rules to introduce the following resolution: Yeas - 7 Nays - 0

Resolution – 06-150 – Approving the license application, per the Legislative Hearing Officer, for Wine On Sale, Malt On Sale (Strong), and Restaurant B (more than 12 seats) licenses by Salem Restaurant, Inc., dba Flamingo, 490 Syndicate Street North.

Councilmember Benanav moved approval.

 $Adopted \qquad Yeas-7 \qquad Nays-0$ 

Councilmember Thune moved to adjourn	the meeting. $Yeas - 7$ Nays $- 0$
ATTEST:	ADJOURNED at 3:55 P.M.
Mary Erickson Assistant Council Secretary	Kathy Lantry, Council President
Submitted by: Pattie Kelley	March 7, 2007 Minutes approved by Council